

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHRISTIE POITRA,

Plaintiff,

Case No. 22-CV-00047

-v-

Hon. Jane M. Beckering

MICHIGAN STATE UNIVERSITY,  
MICHIGAN STATE UNIVERSITY BOARD  
OF TRUSTEES; SAMUEL L. STANLEY, JR.;  
SATISH UDPA; LOU ANNA K. SIMON;  
JOHN M. ENGLER; RONALD L. HENDRICK;  
ROBERT KENT; TANYA JACHIMIAK;  
JOHN NORDER; and QUENTIN TYLER;  
in their official and individual capacities,

Defendants.

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**DEFENDANT JOHN M. ENGLER'S MOTION TO DISMISS PLAINTIFF CHRISTIE  
POITRA'S FIRST AMENDED COMPLAINT AND JOINDER IN MSU DEFENDANTS'  
MOTION TO DISMISS (ECF NOS. 17-18)**

**ORAL ARGUMENT REQUESTED**

Defendant John M. Engler ("Engler"), by and through his attorneys, Dickinson Wright PLLC, hereby respectfully moves this Court for an order dismissing Plaintiff Christie Poitra's ("Plaintiff") First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiff fails to state a claim upon which relief can be granted against Engler. In support of his motion, Engler hereby adopts, incorporates, and relies upon Defendants MSU, Stanley, Udpa, Simon, Hendrick, Kent, Jachimiak, and Tyler's (collectively, the "MSU Defendants") Motion to Partially Dismiss Plaintiff Christie Poitra's First Amended Complaint and Motion to Strike Paragraphs 389 Through 476 of Amended Complaint (ECF No. 17) and their Brief in Support of

same (ECF No. 18) (the “MSU Defendants’ Motion to Dismiss”), as well as the authorities, argument, and facts set forth in the accompanying brief.<sup>1</sup>

Pursuant to Local Civil Rule 7.1(d), Engler sought concurrence from Plaintiff, the MSU Defendants, and Defendant Norder on April 29, 2022. The MSU Defendants concur in the relief sought herein. Defendant Norder did not respond to Engler’s request for concurrence. Plaintiff did not concur.

WHEREFORE Engler requests that the Court enter judgment in his favor and against Plaintiff as to all claims against him, and award such other relief it deems appropriate.

RESPECTFULLY SUBMITTED,

DICKINSON WRIGHT PLLC

By: s/ Kathryn S. Wood  
Kathryn S. Wood (P55012)  
Angelina R. Delmastro (P81712)  
*Attorneys for Defendant Engler*  
500 Woodward Avenue, Suite 4000  
Detroit, MI 48226  
(313) 223-3500  
kwood@dickinsonwright.com  
adelmastro@dickinsonwright.com

Dated: May 3, 2022

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<sup>1</sup> Pursuant to Fed. R. Civ. P. 1, Engler joins in the MSU Defendants’ Motion to Dismiss to “secure the just, speedy, and inexpensive determination” of this action.

**CERTIFICATE OF SERVICE**

I certify that on May 3, 2022, I electronically filed the foregoing *Defendant John M. Engler's Motion to Dismiss Plaintiff Christie Poitra's First Amended Complaint and Joinder in MSU Defendants' Motion to Dismiss (ECF NOS. 17–18)* with the Clerk of the Court using the ECF system, which will send notification of such filing to all parties of record.

**s/ Jill K. Merlo**

Legal Secretary  
DICKINSON WRIGHT, PLLC  
500 Woodward Avenue, Suite 4000  
Detroit, Michigan 48226-3425  
(313) 223-3500  
jmerlo@dickinsonwright.com